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IDENTIFYING THE MAKER OF NUMERALS

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ABSTRACT

From the examination of handwritten numerals, an individual was identified as the maker. The points of observation were illustrated. Presentation of the report brought forth a confession.

A handwritten personal check, made payable to my client, The Merchant, was returned unpaid by the bank. The check was stamped "LOST/STOLEN." The question was posed to me: Which employee had conducted this check cashing transaction?

That question was resolved into the identification of the maker of a series of handwritten personal identification numbers from an Oregon Driver License (ODL) and a Social Security Number (SS#). These had been written across the top margin of the face of the check by the employee who had negotiated it.

The handwriting and signature on the check were not at issue. I was not commissioned to examine them. An investigation of the numerical identification numbers (ODL and SS#) had already revealed that both were fictitious.

The Merchant brought to my office exemplar material from a group of nine employees who might have put the check through. However, The Merchant had chosen a prime suspect based on his own visual comparative examination of the exemplars of this person. It should be noted that this prime suspect is the one employee who customarily hand wrote and submitted the daily operating report or ODL, which is a numerical listing of cash transactions. The ODL was scrutinized daily by the Merchant.

I was asked to examine and "verify" the exemplar material of the prime suspect which would surely back up the absolute certainty of The Merchant's selection of the culprit. In his book, *Reliability Testing of Expert Handwriting Opinions*, §4.1.1, Marcel Matley teaches us to ask the question: "Am I being pressured to support a pre-established position?" Not wanting to argue

with the client or cause him added time and expense, while still wanting to avoid bias for his opinion, I kept Matley's admonition in mind.

To fulfill my obligation to address the client's concerns, an examination of the numerals and handwriting of the prime suspect was conducted using the appropriate tools. Nothing significant for identification was noted from the comparison examination between this individual's exemplars and the questioned numerals.

In *Evidential Documents* (page 68), Conway teaches that numerals provide valuable data of identification and that each writer is identifiable by his numerals in the same general manner, and subject to the same conditions, as the identification of cursive script and hand-printing. In my examination of the numerals I used the same principles of handwriting identification as if I were examining cursive or printed handwriting. To identify the writer of the numerals, what was needed was, as Conway also says, "a series of fundamental agreements and identifying individualities which is requisite to the conclusion that two handwritings were authored by the same person" (Op cit., page 65). In *Fundamentals of Document Examination* (page 127), Edna Robertson says that a writer's habit is expressed in the form and use of punctuation marks as well as symbols and numbers.

Additionally, Conway notes that many writers neglect to camouflage numerals in incriminating documents (Op. cit., page 73). In Reliability Testing, Matley explains that the deliberate alteration of any one graphic feature also necessitates certain other unintended alterations of related features (Op. cit., §3.3.1.5). Examination of all exemplar material provided resulted in an inconclusive opinion.

The Merchant was contacted by phone and the results of this examination were discussed. In exploring what could be done to pursue the matter, I proposed what further examinations and exemplars would be required to satisfy the problems set forth in this commission, and what my expectations of new findings would be should The Merchant wish to comply (Matley, Op. cit., §3.5.2.5, 3.5.2.6). I was subsequently provided with additional exemplars (originals and photocopies) from the employee files of the same group of employees.

With adequate exemplar materials from all reasonable suspects now available, a further, all inclusive, examination clearly revealed each writer's significant individual and identifying characteristics of graphic forms. Observed in one individual's exemplars were the repeated identifying traits of form, size spacing relationships and other graphic habits found in the ODL and SS# numerals on the questioned check. This examination provided 40 comparative points of observation from the series of 16 numerals and the handwritten letters "ODL" to identify this individual, without any significant differences.

The following are some of the individual identifying characteristics of the numerals:

(ILLUSTRATION: QUESTIONED: ODL 5947818; SS#479-17-4150)

A chart will accompany this report as follows:

QUESTIONED / PRIME SUSPECT / ACTUAL WRITER

#5 shape is duplicated

#9 entry stroke left of stem
#8 closes at top left
#9 oval attaches at top of stem
#5 made with two strokes
#5 final stroke placed below initial stroke
#0 closes at top of circle with final stroke inside the circle

The results of this examination led to an opinion of definite identification. Points of observation and identity were illustrated in the written report. The Merchant presented the illustrated report to the suspect, a teenage employee, who then confessed. An arrangement was negotiated between The Merchant and the teenager for retribution in the form of repayment to The Merchant for the cost involved in the investigation of this incident, including my fees.

This case confirms the validity of several standard practices in forensic handwriting identification, among which are:

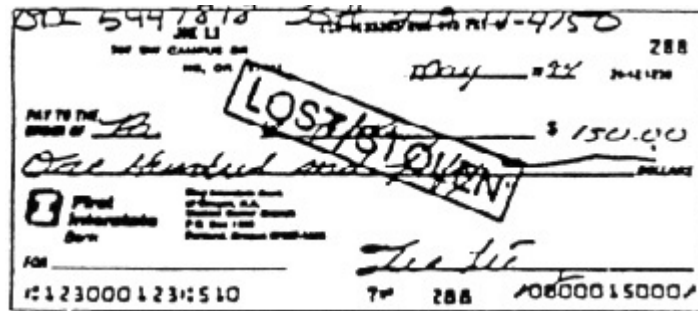
1. Handwritten numerals are handwriting, and thus subject to all the rules and procedures for identifying any handwriting;
2. The expert must resist any influence, intentional or otherwise, which the client might exert on the method and conclusion of the examination;
3. The certainty of an opinion must be proportionate to the quality and amount of disputed and exemplar material submitted for examination; and
4. The expert must be business-like in explaining to the client what problems the expert has encountered, what is needed to resolve the difficulty and what the reasonable expectations for results are, without providing even the illusion of a guaranty.

BIBLIOGRAPHY

Conway, James, Evidential Documents, Charles C. Thomas, Springfield, IL., 1959.

Robertson, Edna, W., Fundamentals of Document Examination, Nelson-Hall Publishers, Chicago, IL., 1991.

Matley, Marcel. Reliability Testing of Expert Handwriting Opinions, Handwriting Services of California, San Francisco, CA, 1992.



The following chart shows some of the individual identifying characteristics of the numerals found in the exemplars of the actual writer and which were *not* found in the exemplars of the first suspect.

THE QUESTIONED NUMBERS:

012 5447818

The #5 shape is duplicated.

Exemplars of the first suspect: 5-19 6755 154 5.25 305.7

Exemplars of the actual writer: \$40 \$40 \$2 \$

The #9 entry stroke starts at left of stem.

Exemplars of the first suspect: 5-19 590 .19 93

Exemplars of the actual writer: 92- 92- 92- 3129

The #8 closes at the top left and ends below the entry stroke.

Exemplars of the first suspect: 0910 58.4 18.56

Exemplars of the actual writer: 387 2387 2589

EXHIBIT 1

THE QUESTIONED NUMBERS:

~~#19~~ RUN-093 PKT-V-4150

The #9 oval attaches at the top of the stem.

Exemplars of
the first suspect:

6999 97202 #409 1919

Exemplars of
the actual writer:

2589 3129 22-94

The #5 is made with two separate strokes.

Exemplars of
the first suspect:

154.40 55.40. 2.50 5.25

Exemplars of
the actual writer:

253 5.25 | 5.25 257.5 5571

The #5 has the second stroke placed below the initial stroke.

Exemplars of
the first suspect:

6755 6605 6590 2.50

Exemplars of
the actual writer:

5

The #0 closes at the top of the circle and the final stroke ends inside the circle.

Exemplars of
the first suspect:

117.70 36.70 502 1.07 30.60

Exemplars of
the actual writer:

5.00 270 20-30 50

EXHIBIT 2